

Item # \_\_\_\_\_

Prepared by: Gloria Kelly  
Real Estate Services

Commissioner \_\_\_\_\_

Approved by: Lisa Kelly  
County Attorney

**RESOLUTION APPROVING THE SALE OF 2.942 ACRES OF UNIMPROVED REAL PROPERTY LOCATED ON THE NORTHWEST CORNER OF HOLMES ROAD AND RIVERDALE ROAD, TO SALAH M. MOHAMMED FOR \$150,000.00. SPONSORED BY COMMISSIONER DEIDRE MALONE.**

**WHEREAS**, Shelby County, Tennessee, owns a 2.942 acre tract of unimproved real property located on the northwest corner of Holmes Road and Riverdale Road, and further identified as Tax Parcel No. D0255 00681Z (See Exhibit "A"); and

**WHEREAS**, The said 2.942 acre tract of real property has been declared surplus and not needed for a public purpose by Shelby County; and

**WHEREAS**, In accordance with County policy, this surplus 2.942 acre tract of unimproved real property was publicly advertised for sale, soliciting sealed bids to purchase the same but only one sealed bid was received and opened establishing a high bid for the same in the amount of \$ 150,000.00 from SALAH M. MOHAMMED.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE**, That the sale of the aforementioned 2.942 acre tract of unimproved real property to SALAH M. MOHAMMED for the sum of \$ 150,000.00 be and the same is hereby approved.

**BE IT FURTHER RESOLVED**, That the Mayor be and he/she is authorized to execute the attached Contract of Sale and Quit Claim Deed, conveying the same, along with any other documents necessary for the closing of the sale described herein.

**BE IT FURTHER RESOLVED**, That the proceeds from this sale totaling \$ 150,000.00 shall be credited to Account No. 010-307501-9421, Proceeds from Sale of Capital Assets.

\_\_\_\_\_  
County Mayor

Date: \_\_\_\_\_

ATTEST:

ADOPTED \_\_\_\_\_

\_\_\_\_\_  
Clerk of County Commission

## **PROPERTY DESCRIPTION**

Part of a tract of land conveyed to Shelby County by Warranty Deed of Record as described in the Register's Office of Shelby County, Tennessee, in the Register's Official Record Book under Instrument Number K5-6953 and part of a tract of land dedicated to Shelby County by Approved General Plan, Bennington Shopping Center, as shown on Plat of Record as described in Plat Book 55, Page 29 in the Register's Office of Shelby County, Tennessee, which parts being more particularly described collectively as follows:

BEGINNING at a set ½ inch rebar with a plastic cap in the existing west line of Riverdale Road (106-foot R/W), said point being located 458.93 feet north of the centerline of Holmes Road (R/W varies), said point also being the most easterly southeast corner of the conservancy open space as shown of the final plan of The Village of Lake Point Subdivision on Plat of Record in Plat Book 138, Page 58 in the Register's Office of Shelby County, Tennessee; thence S 00°46'00" W along the proposed west line of Riverdale Road, being 53 feet west of and parallel to the existing centerline of Riverdale Road, a distance of 303.95 feet to a point of curvature; thence in a southwestwardly direction on an arc to the right having a radius of 170.00 feet (Chord = S 10°03'41" W, 54.92 feet) an arc length of 55.16 feet to a point of compound curvature; thence continuing in a southwestwardly direction on an arc to the right having a radius of 55.00 feet (Chord = S 45°55'05" W, 49.19 feet) an arc length of 50.99 feet to a point of compound curvature; thence continuing in a southwestwardly direction on an arc to the right having a radius of 170.00 feet (Chord = S 81°46'29" W, 54.92 feet) an arc length of 55.16 feet to a point of tangency in the proposed north line of Holmes Road, said point being 57 feet north of the existing centerline of Holmes Road; thence N 88°55'50" W along the proposed north line of Holmes Road, being 57 feet north of and parallel to the existing centerline of Holmes Road, a distance of 569.51 feet to a set ½ inch rebar with a plastic cap; thence N 01°04'10" E along a north-south offset in the proposed north line of Holmes Road a distance of 38.00 feet to a set ½ inch rebar with a plastic cap in the south line of the conservancy open space as shown of the final plan of The Village of Lake Point Subdivision on Plat of Record in Plat Book 138, Page 58 in the Register's Office of Shelby County, Tennessee, and being in the existing north line of Holmes Road, said rebar being 95 feet north of the existing centerline of Holmes Road; thence in a northeastwardly direction with the southeast line of said conservancy open space as shown of the final plan of The Village of Lake Point Subdivision on Plat of Record in Plat Book 138, Page 58 in the Register's Office of Shelby County, Tennessee, the following two courses: N 66°33'18" E a distance of 624.52 feet to a set ½ inch rebar with a plastic cap; thence N 43°53'50" E a distance of 142.90 feet to the POINT OF BEGINNING.

Containing 128,164.51 square feet or 2.942 acres.

Tax Parcel No. D02-55-00681-Z

## **EASEMENT RESERVATION**

The above described tract of land is to be sold subject to any and all easements of record as well as easements for any and all existing utility, sanitary sewer and drainage facilities located thereon.

**EXHIBIT "A"**

## **SUMMARY SHEET**

### **I. Description of Item**

A Resolution approving the sale of an unimproved tract of surplus County owned land 2.942 acres in size, located on the northwest corner of Holmes Road and Riverdale Road, within unincorporated Shelby County, to Salah M. Mohammed for \$ 150,000.00; this tract of land is made up of excess, dedicated road right-of-way and land purchased in 1975 for use as road right-of-way for the 1975 Holmes Parkway improvement project, which never materialized; subsequently, in 1999 this property was declared surplus and has been marketed unsuccessfully “as-is” until now; in April, 2009 the County had this property reappraised by Real Estate Analysis, Inc. concluding the property’s current market value to be in the range of \$ 200,000.00 to \$ 325,000.00; although two prospective purchasers had indicated an interest in purchasing this property, only Salah M. Mohammed, submitted a sealed bid in response to the County’s advertisement; Mr. Mohammed has advised that he plans to use this property to develop thereon a gas station/strip center that will complement the other commercial developments at this intersection. Based on the above, it is hereby recommended by the Administration that the sale of this surplus County owned parcel be approved.

### **II. Source and Amount of Funding**

No County funds required.

### **III. Contract Items**

Quit Claim Deed and Contract of Sale

### **IV. Additional Information Relevant to Approval of this Item**

N/A

## PROPERTY DRAWING



## **QUIT CLAIM DEED**

KNOW ALL MEN BY THESE PRESENTS, that Shelby County, Tennessee, a Political Subdivision of the State of Tennessee, (hereafter referred to as "Grantor"), for and in consideration of ONE HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$ 150,000.00), does hereby bargain, sell, remise, quit claim and convey unto SALAH M. MOHAMMED, (hereinafter referred to as "Grantee"), all the Grantor's right, title and interest in and to the following described real estate located in the County of Shelby, State of Tennessee, to-wit:

**Part of a tract of land conveyed to Shelby County by Warranty Deed of Record as described in the Register's Office of Shelby County, Tennessee, in the Register's Official Record Book under Instrument Number K5-6953 and part of a tract of land dedicated to Shelby County by Approved General Plan, Bennington Shopping Center, as shown on Plat of Record as described in Plat Book 55, Page 29 in the Register's Office of Shelby County, Tennessee, which parts being more particularly described collectively as follows:**

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**Containing 128,164.51 square feet or 2.942 acres.**

**Tax Parcel No. D02-55-00681-Z**

**EASEMENT RESERVATION**

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Grantor makes no claim or warranty relative to the environmental condition of the above described property. Conveyance of the above described property is made without warranties of any kind, whatsoever.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by the affixing thereto of the signature of the Mayor of the County of Shelby, the said Mayor being authorized so to do pursuant to Section 4.03-18 of Chapter 260 of the Private Acts of 1974 in accordance with the approval of the Shelby County Board of Commissioners, on the \_\_\_\_\_ day of \_\_\_\_\_, 2009, in Resolution # \_\_\_\_\_.

**Grantor: Shelby County, Tennessee**

**BY:** \_\_\_\_\_  
County Mayor

**Approved as to Form:**

**BY:** \_\_\_\_\_  
Assistant County Attorney/  
Contract Administrator

**Other County Approvals:**

**BY:** \_\_\_\_\_  
Land Bank Administrator

**BY:** \_\_\_\_\_  
County Real Estate Manager

**STATE OF TENNESSEE  
COUNTY OF SHELBY**

Before me, the undersigned, a Notary Public within and for said State and County, duly commissioned and qualified, personally appeared \_\_\_\_\_, **Mayor of the County of Shelby**, with whom I am personally acquainted, and who upon oath acknowledged himself/herself to be the **Mayor of the County of Shelby**, the within named bargainor, one of the counties of the State of Tennessee, and that he/she as such **Mayor** of said county, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of Shelby County by himself/herself as such **Mayor** of said County of Shelby.

WITNESS my hand and Notarial Seal, at office in Memphis, in the County aforesaid, this \_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
**Notary Public**

**MY COMMISSION EXPIRES:**

\_\_\_\_\_

**(FOR RECORDING DATA ONLY)**

Property Address:  
**Vacant Land**

Tax Parcel No.:  
**D02-55-00681-Z**

Mail Tax Bills to: (Person or Agency  
responsible for payment of taxes)

**Salah M. Mohammed  
4099 Rhodes Avenue  
Memphis, TN 38111**

Owner's Name and Address:

**Salah M. Mohammed  
4099 Rhodes Avenue  
Memphis, TN 38111**

This instrument prepared by:

**Shelby County Government  
584 Adams Avenue  
Memphis, TN 38103  
Phone No. (901) 545-3498**

I, or we hereby swear or  
affirm that, to the best  
of affiant's knowledge,  
information, and belief,  
the actual consideration  
for this transfer is

\$ \_\_\_\_\_,

\_\_\_\_\_  
**Affiant**

Subscribed and sworn to  
before me this \_\_\_\_ day of  
\_\_\_\_\_, 2009

\_\_\_\_\_  
**Notary Public**  
My Commission expires: